



PLANNING COMMISSION MEETING STAFF REPORT JANUARY 26, 2006

Project:	ARDENWOOD CORPORATE COMMONS - (PLN2006-00120)
Proposal:	To consider a Planned District Major Amendment to P-81-15 as amended, to increase the maximum main building height from 45 to 75 feet (excluding parapet height).
Recommendation:	Recommend to City Council
Location:	Lands are bounded by Paseo Padre Parkway, Ardenwood Boulevard and Dumbarton Freeway located in the Northern Plains Planning Area. (See aerial photo next page)
Area:	Approximately 280 acres of land.
People:	John Arrillaga, Applicant Leland Ashby, Hoover Architects, Agent for Applicant Wayne Morris, Staff Planner (510) 494-4729, wmorris@ci.fremont.ca.us
Environmental Review:	A Draft Negative Declaration has been prepared and circulated for this Project.
General Plan:	Existing: Restricted Industrial
Zoning:	Existing: Planned District, P-81-15, P-81-15A, P-81-15B, P-81-15C, P-81-15CC, P-81-15F, P-81-15HH, P-81-15i and P-2001-7(F).

EXECUTIVE SUMMARY:

The proposed project is a request for a Planned District Major Amendment to Planned District, P-81-15, as amended, to increase the maximum main building height within the Ardenwood Corporate Commons Business Park. The applicant has specifically requested that the maximum main building height be increased from 45 to 75 feet, and requests flexibility for parapet and mechanical equipment screening height in addition to this increase. The applicant has advised staff that the amendment is required to facilitate the potential location of additional biotechnology companies within the Business Park, who require a higher floor plates (floor to ceiling distance) to accommodate typical equipment used in their business operations. The lands subject to the proposed Planned District Major Amendment have been expanded to include lands beyond those owned by the applicant, the amendment is proposed to apply to the entire Ardenwood Corporate Commons Business Park (see attached aerial and location map).



Figure 1: Aerial Map (2002) of Project Site and Surrounding Area.



SURROUNDING LAND USES: North: Vacant Land
South: Dumbarton Freeway
East: Residential uses
West: Paseo Padre Parkway

BACKGROUND AND PREVIOUS ACTIONS:

Planned District P-81-15 was approved by the City Council on December 8, 1981 for the development of the project originally referred to as Ardenwood Forest-New Town. The Ardenwood Forest-New Town as originally planned was to include facilities for living, working, shopping and recreational opportunities. The plan called for approximately 3,800 dwelling units, 283 acres for a high technology business park, 37 acres for commercial uses and 105 acres for schools, parks and open space. The majority of the project has been developed as planned with the exception of the industrial area that is under review through this report.

The industrial portion of Ardenwood Corporate Commons Business Park is located on the western portion of the Ardenwood Forest-New Town, bounded by Paseo Padre Parkway, Ardenwood Boulevard, and the Dumbarton Freeway (see attached aerials and maps). The uses for the area are mainly devoted to research and development, light manufacturing and other uses typically found within the Restricted Industrial zone.

The Planned District Major Amendment Application (PLN2006-00120) as submitted by the applicant requested the building height increase apply only to lands owned by the applicant as it was not his intention to impose changes on lands he did not control. However, once staff commenced their review and analysis of the requested amendment, staff felt that from a planning point of view that it is more appropriate that the building height increase apply to the entire Business Park not just a portion of it. The applicant has also advised staff that it is their intention to attract biotechnology companies to the area because a significant amount of the industrial park is either underdeveloped with small building and/or vacant.

PROJECT DESCRIPTION:

The proposed project is an application for a Planned District Major Amendment to Planned District, P-81-15, as amended, to increase the main building height limit on lands within the Ardenwood Corporate Commons Business Park. The amendment would affect approximately 280 acres of developed/undeveloped land and permit main buildings to have a maximum building height of 75 feet, (with additional flexibility for parapet and mechanical equipment screening height) in place of the current 45 foot maximum height limit outlined in P-81-15.

PROJECT ANALYSIS:

General Plan Conformance:

The existing General Plan land use designation for the project site is Restricted Industrial. The proposed project is consistent with the existing General Plan land use designation for the project site because the project is envisioned to attract biotechnology companies and associated uses which are allowed within the Restricted Industrial designation. The following General Plan Goals, Objectives and Policies are applicable to the proposed project:

Fundament Goal 8: *A diversity of residential, recreational, cultural, employment and shopping opportunities.*

Fundamental Goal 9: *A large, diversified industrial and commercial base to meet employment needs of the City's present and future workforce.*

Local Economy Goal 1: *Increased job opportunities in Fremont for Fremont residents.*

Local Economy Goal 2: *A strong municipal tax base.*

Local Economy Goal 4: *A diversified industrial employment base to meet the employment needs of the City's present and future workforce.*

Local Economy Objective 1.1: *A significant increase in businesses providing job opportunities for Fremont workers.*

Local Economy Objective 2.1: *An increased number of businesses generating revenues to the City.*

Land Use Policy 3.2: *The restricted industrial land use designation is reserved for a wide variety of research and development activities such as product development, engineering, sales administration, and basic research functions....*

Analysis: The project conforms to these goals, objectives and land uses policies of the General Plan because the approved project will ultimately add to the local economy. Economic benefits associated with the construction of new commercial buildings are: the expansion as well as the retention of existing biotechnology firms; the continuation of jobs, property tax, payroll taxes and expenditures within the local economy of a portion of those payroll earnings; the contribution of a better balance of housing/jobs; and a stronger property, business license and sales tax base. The project also has the potential to expand an area within the City of Fremont where biotechnology and life science companies could locate in close proximity to each other, therefore, forming a stronger cluster of biotechnology companies. The intent of the overall project is to increase the height of the main buildings, which would allow the expansion of existing and additional biotechnology and other emerging technology companies to locate within the Ardenwood Corporate Commons Business Park.

Land Use Policy LU3.7: Building heights shown in Table 3-6 (40 feet) are thresholds which shall be applied to all industrial projects. Thresholds indicate the maximum height permitted under conventional development. However, additional building heights may be granted at the City's discretion based on one or more of the following criteria:

- Extraordinary benefits to the City of Fremont
- Unique circumstances or special project design which would reduce impacts in comparison to other projects
- Unique building requirements of a particular industrial use.

Analysis: Staff also believes that the proposed project has extraordinary benefits to the City of Fremont in that with the building height increase the land owners/City have a greater chance of expanding existing and attracting additional biotechnology and life science companies to the City. The proposed main building height increase is specifically targeted towards attracting biotechnology companies who require greater floor to ceiling (unique building requirements) distances in which to accommodate their equipment, as well as greater flexibility with regard to the height of parapets and mechanical equipment

on the roofs due to the ventilation equipment often needed for biotechnology uses. Most of the existing buildings in the Ardenwood Corporate Commons Business Park were built to former industrial standards and include ceilings that are typically 15 feet in height. These heights do not accommodate current businesses and their laboratory and manufacturing needs. These changes would benefit existing firms as they expand. Typically in the life science business cycle, specialized space is needed as firms develop new products or need manufacturing capabilities. The height increase would allow Fremont firms the flexibility to design state-of-the-art space to meet their business needs. New construction will allow improved business operations, economic benefits from construction activity and subsequent job creation.

In addition to assisting existing firms as they expand, these changes would assist in efforts to lease space to new firms. A range of building types allows more options for firms seeking new commercial space. Therefore, staff believes that the project meets the criteria for which additional building height should be granted by the City.

Zoning Regulations:

The project site is zoned Planned District, P-81-15, as amended. The only modification to the Planned District that is being proposed through this Planned District Major Amendment Application is the requested main building height increase and flexibility for the height of parapets and mechanical equipment on top of buildings. All other provisions, regulation and conditions of approval outlined within P-81-15, as amended shall still apply to the lands under review.

Building Height Increase:

As noted previously within the report, the Planned District Major Amendment is a request to increase the main building height limit to 75 feet (with additional flexibility for parapet and mechanical equipment height and screening) in place of the current 45 foot maximum height limit outlined in P-81-15. It should be noted that it is only the main building height which is proposed to be modified, the current four (4) story maximum for buildings noted within P-81-15, as amended, shall remain unchanged through this amendment. The applicant has advised staff that biotechnology research companies, which several landowners are interested in attracting, require higher floor plates (floor to ceiling distance) to accommodate their equipment. While the overall building height would increase from 45 to 75 feet (with added flexibility for parapet and mechanical equipment height and screening) in order to facilitate these higher floor plates and needed ventilation equipment, the number of total floors allowed would continue to be four (4) within the new height limit. Accordingly, no additional floor area square footage (such as additional stories or mezzanine spaces with 10-12 feet ceiling heights) will be permitted as a result of this amendment application; the proposal provides flexibility in height for the four (4) floors already permitted. Therefore, there would be no increase in traffic as the total square footage allowed shall remain unchanged. Since the majority of biotechnology companies have a significant amount of roof top equipment that requires screening, staff are proposing that the screen height be reviewed and approved through the Development Organization review (Building Permit) for added flexibility.

Environmental Review:

A finding is proposed that this project would not have a significant effect on the environment. Accordingly, a draft Negative Declaration has been prepared for consideration by the Planning Commission.

The initial study has evaluated the potential for this project to cause an adverse effect -- either individually or cumulatively -- on wildlife resources. There is no evidence the proposed project would have any potential for adverse effect on wildlife resources. Based on this finding, a Certificate of Fee Exemption will be submitted with the Notice of Determination after project approval, as required by Public Resources Code section 21089 (see attachment to Draft Negative Declaration). The Certificate of Fee Exemption allows the project to be exempted from the review fee and environmental review by the California Department of Fish and Game.

PUBLIC NOTICE AND COMMENT:

Public hearing notification is applicable. A total of 230 notices were mailed to owners and occupants of property within 300 feet of the site. The notices to owners and occupants were mailed on January 12, 2006. A Public Hearing Notice was published by The Argus on January 12, 2006.

ENCLOSURES:

Exhibits:

- Exhibit "A" Conditions of Approval
- Exhibit "B" Lands Affected by Proposed Amendment
- Draft Negative Declaration

Informational:

- Initial Study (attached to the Draft Negative Declaration)

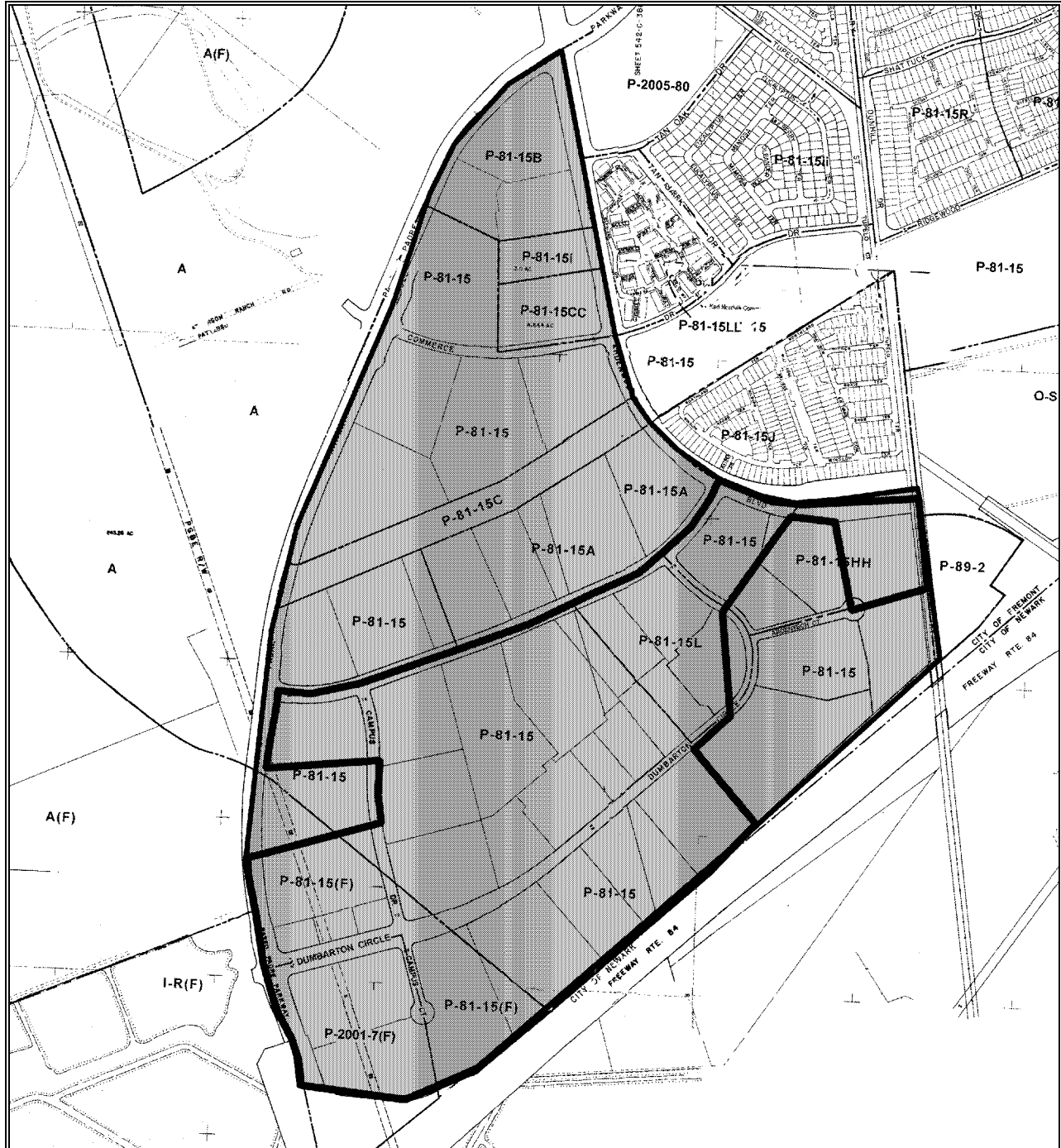
RECOMMENDATION:

1. Hold public hearing.
2. Recommend the City Council find the initial study has evaluated the potential for this project to cause an adverse effect -- either individually or cumulatively -- on wildlife resources. There is no evidence the proposed project would have any potential for adverse effect on wildlife resources.
3. Recommend the City Council approve the Negative Declaration and recommend the use of a certificate of Fee Exemption and find these reflect the independent judgment of the City of Fremont.
4. Find that the Planned District Major Amendment is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Land Use and Local Economy Chapters as enumerated within the staff report.
5. Find the Planned District Major Amendment, as per Exhibit "A", fulfills the applicable requirements set forth in the Fremont Municipal Code.

6. Recommend City Council approve PD Major Amendment, PLN2006-00120, to amended P-81-15, as amended for a main building height increase to 75 feet (with flexibility for parapet and mechanical equipment height and screening) subject to the Findings and Conditions of Approval on Exhibit “A” and Exhibit “B”, lands to which PD Major Amendment shall apply to.

Existing Zoning

Shaded Area represents the Project Site



Bold Boundary line indicates lands to which Original Amendment application applied to.

Existing General Plan



Exhibit “A”
Ardenwood Corporate Commons
Main Building Height Increase – PLN2006-00120

FINDINGS

The following findings are made based upon the information contained in the staff report as well as information presented at the public hearing, incorporated hereby:

1. Each individual unit of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the use proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning district. The proposed project is a main building height increase from 45 to 75 feet which is consistent with the Land Use and Local Economy Chapter's of the City's General Plan. The applicant shall incorporate features such as high quality architecture, site design and enhanced landscaping through the design of the various projects. The project will have a beneficial effect that could not be achieved under a standard zoning district because the Planned District Major Amendment will allow main buildings to have a maximum height of 75 feet, with flexibility for parapets and mechanical equipment screening, which will enable to the City to be more competitive in attracting biotechnology companies.
2. The existing streets and thoroughfares and required on-site improvements are suitable and adequate to carry anticipated traffic, and anticipated future potential for site development will not generate traffic in such amounts as to overload the street network outside the project area because the Planned District Major Amendment is not proposing to add an additional square footage to the project area. The proposal only provides flexibility in height for the four (4) floors already permitted. Therefore, no additional traffic should be generated as a result of the proposed amendment.
3. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development because the surrounding area, except for the proposed Patterson Ranch Development (to the west), is developed and consists of residential homes, open space and a small commercial area.
4. The proposed project is in conformance with the General Plan of the City of Fremont. The project conforms to the goals, objectives and policies of the Land Use and Local Economy Chapter's of the City's General Plan, enumerated in the staff report.
5. The existing or proposed utility services are adequate for the population densities proposed. None of the responsible utility companies have stated that they will be unable to provide the required services to the various sites, and the proposed Planned District Major Amendment only relates to building height.

CONDITIONS

1. Planned District, P-81-15, as amended, shall be further amended by increasing maximum main building height from 45 feet to 75 feet on all lands identified on Exhibit "B". parapet height for mechanical screening is addressed in Condition No. 3.
2. It shall be acknowledged that while the main building height has increased, the current four (4) story maximum shall remain unchanged through this amendment. The amendment therefore, shall not increase the allowable square footage per site from what was originally envisioned through P-81-15, as amended.
3. The parapet and mechanical screening required for biotechnology companies shall be exempt from the Fremont Municipal Code requirement outlined in Section 8-22201, which indicates that parapet walls shall not extend more than 4 feet above the limiting height of the building. It is staff's desire to ensure all roof top equipment is screened from public right-of-ways and adjacent properties. All reasonable parapets and mechanical screening (height, material and location) shall be reviewed and approved by the Director of Community Development through the Development Organization review process
4. All other Conditions of Approval contained in P-81-15, as amended, shall apply to the development of the lands identified on Exhibit "B".
5. Site Plan approval shall be conducted through the Planned District Amendment process with approval granted by the Director of community Development. This process shall proceed prior to and or run concurrently with the **Development Organization** review process. Plans shall be submitted to the **Development Organization** for review and approval to ensure conformance with relevant codes, policies, and other requirements of the Fremont Municipal Code.
6. Minor modifications to approved plans, subject to the review and approval of the Director of Community Development, if such modifications are in keeping with the intention of the approved plans and are minor in nature. However, the Director of Community Development shall retain the authority to determine the level of review required.

End of Conditions

Ardenwood Corporate Commons



Lands affected by Planned District Major Amendment – Main Building Height Increase